

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

| | | |
|--------------------------|---|-------------------|
| COREY SMITHERMAN, et al. |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | 7:14-cv-01781-JHE |
| |) | |
| IGUANA GRILL, INC., |) | |
| |) | |
| Defendant. |) | |

MEMORANDUM OF OPINION AND ORDER

On June 11, 2015, the parties filed a joint motion for approval of collective class notification in this FLSA action. (Doc. 19.) On June 12, 2015, the magistrate judge filed his report and recommendation, recommending that the parties' joint motion be granted and that the agreed-upon notice of collective action and consent-to-join forms that were attached to the report and recommendation be approved by the court as the court-authorized notice. (Doc. 20.) On June 16, 2015, the parties filed a "corrected" motion for approval of collective class notification, stating the original motion had included the wrong exhibit, which the parties had not agreed upon, and asking the court to approve the agreed-upon version attached to the "corrected" motion. (Docs. 21 & 21-1). The magistrate judge then issued an order amending his report and recommendation to replace Attachment 1, "Notice of

Collective Action,” with the attached corrected version. (Docs. 22 & 22-1.) No objections to the amended report and recommendation were filed by either party. The undersigned was then randomly drawn to review the report and recommendation, as amended.

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the report is due to be and hereby is ADOPTED, and the recommendation is ACCEPTED (doc. 20), as amended by the magistrate judge’s order of June 17, 2015 (doc. 22). Consequently, the parties’ joint motion for approval of collective class notification (doc. 19), as well as their joint motion to amend same (doc. 21), are hereby GRANTED. This action is to remain assigned to the magistrate judge for further proceedings not inconsistent with this opinion and order.

DONE AND ORDERED ON JULY 7, 2015.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE

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